



**PETITION TO VACATE A SUBDIVISION PLAT
OR PORTION THEREOF**

WE THE UNDERSIGNED, respectfully request and petition the City Commission of the City of Leesburg, Florida, to renounce, quit claim, and disclaim any right of the City of Leesburg, or the public, in and to the following described subdivision plat, or portion thereof, to wit:

SUBDIVISION OR STREET NAME: _____

LEGAL DESCRIPTION OF PROPERTY TO BE VACATED:

WHEREFORE, petitioners request that this petition for vacating said subdivision plat, or portion thereof, be accepted and filed, and that proper publication of Notice of Public Hearing be prepared and authorized of said petition, and after a public meeting to be determined by the City Commissioners of the City of Leesburg, Florida, said subdivision plat, or portion thereof, be vacated.

RESPECTFULLY SUBMITTED, THIS _____ DAY OF _____, 20____.

SIGNATURE OF PETITIONER(S):

PRINTED NAME OF PETITIONER(S):



LEESBURG
The Lakefront City

**APPLICATION FOR PETITION TO VACATE A SUBDIVISION PLAT
OR PORTION THEREOF**

Please type or print legibly (use blue or black ink). All blanks must be complete. Use N/A where not applicable.

Date: _____

1. Name of Subdivision or portion to be vacated: _____

2. Name, address, & telephone number of person representing vacating:

3. The property is generally located near the following streets:

4. The size of the property is: _____ +/- square feet; _____ +/- acres

5. The existing zoning of the property is: _____

6. The present use of the property is: _____

7. The proposed use of the property is: _____

8. The number of existing structures on the property and their present use is:

9. The reason or basis for this request is:

Petitioner's Signature: _____

Print Name: _____

Address: _____

Telephone: _____ Fax: _____ E-Mail _____

Block(s) and/or Lot(s) owned: _____

Petitioner's Signature: _____

Print Name: _____

Address: _____

Telephone: _____ Fax: _____ E-Mail _____

Block(s) and/or Lot(s) owned: _____

Petitioner's Signature: _____

Print Name: _____

Address: _____

Telephone: _____ Fax: _____ E-Mail _____

Block(s) and/or Lot(s) owned: _____

PROPERTY OWNER & AGENT AFFIDAVIT*

DATE: _____

Before me, the undersigned authority personally appeared _____ (property owner's name), who being by me duly sworn on oath, deposes and says:

1. That said authority is the fee-simple owner of the property requested for vacating, OR that said authority is the fee-simple owner of the property contiguous to the street, road, or alley requested for vacating.
2. That said authority desires to VACATE the following SUBDIVISION PLAT, OR PORTION THEREOF:

3. That said authority (property owner) has appointed _____ (agent's name) to act in his behalf to accomplish the above, and before me the undersigned authorized agent personally appeared and, being by me duly sworn on oath, deposes and says:
 - A. That he/she affirms and certifies that he/she understands and will comply with all ordinances, regulations, and provisions of the City of Leesburg, Florida, and that all statements and diagrams submitted herewith are true and accurate to the best of his/her knowledge and belief, and further, that this application and attachments shall become part of the Official Records of the City of Leesburg, Florida, and are not returnable.
 - B. That the submittal requirements for the application have been completed and attached hereto as part of the application.

PROPERTY OWNER'S SIGNATURE

STATE OF FLORIDA
COUNTY OF LAKE

Subscribed and sworn to (or affirmed) before
me on _____ (date) by

(name of affiant, deponent, or other signer).
He/she is personally known to me or has
presented _____
as identification.

AGENT'S SIGNATURE

STATE OF FLORIDA
COUNTY OF LAKE

Subscribed and sworn to (or affirmed) before
me on _____ (date) by

(name of affiant, deponent, or other signer).
He/she is personally known to me or has
presented _____
as identification.

NOTARY PUBLIC

SEAL:

NOTARY PUBLIC

SEAL:

***NOTE: PROPERTY OWNER MUST SIGN AFFIDAVIT. WHEN AGENT IS REPRESENTING CASE, BOTH AGENT AND PROPERTY OWNER MUST SIGN AFFIDAVIT.**

CHECKLIST FOR VACATING A SUBDIVISION PLAT OR PORTION THEREOF

The governing bodies of the City of Leesburg may adopt resolutions vacating plat(s), in whole or in part, of subdivisions in said city, returning the property covered by such plat(s), in whole or in part, into acreage.

BEFORE SUCH RESOLUTION VACATING ANY PLAT, EITHER IN WHOLE OR IN PART, SHALL BE ENTERED BY THE GOVERNING BODY, IT MUST BE SHOWN THAT:

1. ___ The person or persons making application for said vacation own the fee simple title or titles to the whole or that part of the tract covered by the plat sought to be vacated,
 OR
 ___ In the case of a street, road, or alley: The person or persons making application for said vacation own the fee simple title or titles to property contiguous to the platted street or road; and
2. ___ The vacation by the governing body of the city will not affect the ownership or rights of convenient access of persons owning other parts of the subdivision.

PERSONS MAKING APPLICATION FOR VACATION OF PLATS, EITHER IN WHOLE OR IN PART, ARE REQUIRED TO SUBMIT:

1. ___ Petition signed by all property owners whose lots are to be vacated, (pg. 1)
 OR
 ___ Petition signed by property owner(s) whose lot(s) are contiguous to the street, road or alley to be vacated.
2. ___ Filing Fee (see below).
3. ___ General application form (pg. 2 & 3).
4. ___ Authorization for property owner/agent representation (pg. 4).
5. ___ Copy of Warranty Deed and current year Tax Receipt(s) showing the ownership of the lot(s) to be vacated (Warranty Deed is required by City Attorney)
 OR
 ___ Copy of Warranty Deed and current year Tax Receipt(s) showing ownership of lot(s) contiguous to the street, road, or alley to be vacated (Warranty Deed is required by City Attorney).
6. ___ Map showing general location of the site.
7. ___ Copy of recorded subdivision plat, if applicable.
8. ___ Traffic study, if applicable as determined by the Planning & Zoning Manager.

Every such resolution passed by the governing body shall have the effect of vacating all streets and alleys, which have not become highways necessary for use by the traveling public.

Such vacation shall not become effective until a certified copy of such resolution has been filed with the Clerk of the Circuit Court and duly recorded in the Public Records of Lake County.

FILING FEE: \$220.00 (Please make check payable to CITY OF LEESBURG)

PROCEDURES:

1. Application shall be submitted to Leesburg Planning & Zoning Division no later than the cut off date for the desired scheduled meeting. Contact the Planning & Zoning Division (352-728-9760) for deadline dates.
2. Upon receipt of a COMPLETE & CORRECT application, the Planning & Zoning Division shall proceed with the request in accordance with the following:
 - A. The owners of all property affected by the Vacating shall be notified by mail.
 - B. A legal advertisement shall be published two (2) times in a local newspaper before the meeting date.
 - C. The petitioner will be notified by mail regarding the date, time, and place of the public hearing.
3. Failure to provide an accurate and complete application will result in automatic rejection and return of the application and delay of the hearing date.
4. The property owner or authorized agent (authorization must be on file at the Planning & Zoning Division) must attend the Planning & Zoning Commission meeting and, at least, the first City Commission meeting.